

REMARKS

Claims 1 through 3, 6 and 9 through 26 are now pending in this application. In response to the Office Action dated September 17, 2003, claim 4 has been cancelled, claims 23 through 26 have been added, and an RCE transmittal has been filed. Care has been taken to avoid the introduction of new matter. Claims 9 through 22 stand allowed. Favorable consideration of the application is respectfully solicited.

Claims 1 and 4 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over the Admitted prior art described at page 2, lines 19-25 of the present specification. Claim 4 has been cancelled. Reconsideration of the rejection with respect to claim 1 and withdrawal thereof are respectfully solicited. The Office Action has not addressed the requirement of claim 1 for "a first semiconductor chip consisting of at least either a circuit against static damage or a passive component." It is well settled that the claim term "consisting of" limits the subject claim element to the subject matter recited thereafter in that claim element, to the exclusion of subject matter that is not recited. New claims 23 through 26 recite similar subject matter.

The specification of the present application reads at page 2, lines 19-25: "Referring to Fig. 23, a circuit against static damage consisting of static damage preventive transistors 301 and 302 is connected to every input/output terminal 201a (202a) of the DRAM chip 201 and the logic chip 202. The input/output terminal 201a (202a) is connected to an integrated circuit (not shown) in the chip through a resistor 303." Based on this recitation and Fig. 23, it is clear that a circuit against static damage consisting of static damage preventive transistors 301 and 302 and a resistor 303 are provided inside the DRAM chip 201 and the logic chip 202 (see Fig. 23). The prior art described in Figs. 22 and 23 does not disclose a chip that contains only a passive element of a circuit against static damage. Each of the prior art chips contains circuit elements that provide various functions and, in addition, may include a passive component. There is no suggestion in the described prior art to limit the makeup of a chip to either passive

element or static damage prevention circuit and that a second and third chip are connected to each other through the first chip. Withdrawal of the rejection is therefore believed to be appropriate.

Claims 1, 2 and 6 have been rejected under 35 U.S.C. § 102(a) and/or 35 U.S.C. § 103(a) as being unpatentable over U.S. patent 6,424,034 (Ahn). Claim 3 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Ahn. The architecture of Fig. 2 of the reference has been relied upon, the "interposer chip 100" having been read on the claimed first semiconductor chip of claim 1. The Office Action states that the "interposer" may be formed of a passive element.

Column 3, lines 54-5 of Ahn states that the interposer substrate may have active and passive devices built on one or both sides. Column 4, lines 11+ state that the construction of the interposer substrate allows both active and passive circuits to be formed within its surface. It appears that interposer 100 is not in itself a chip but rather a substrate on which more than a single chip is mounted. There is no teaching in this reference that one of those chips is constructed of only passive elements or a circuit against static damage as required by claim 1. It is submitted, therefore, that claim 1 and its dependent claims 2 and 6, are neither anticipated by or rendered obvious from the disclosure of Ahn. Withdrawal of the rejection is respectfully solicited.

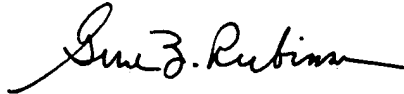
Accordingly, it is submitted that claims 1 through 3, 6 and 9 through 26 are patentably distinguishable over the prior art and that the application is now in condition for allowance. To the extent necessary, a petition for an extension of time under 37

09/810,420 . . .

C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

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A handwritten signature in cursive script, reading "Gene Z. Robinson".

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**Date: December 17, 2003**